

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire

KML Law Group, P.C.

216 Haddon Avenue, Suite 406

Westmont, NJ 08108

Main Phone: 609-250-0700

dcarlon@kmlawgroup.com

Attorneys for Secured Creditor

DEUTSCHE BANK TRUST COMPANY AMERICAS,

AS TRUSTEE FOR RESIDENTIAL ACCREDIT

LOANS, INC., MORTGAGE ASSET-BACKED PASS-

THROUGH CERTIFICATES, SERIES 2005-QA6

In Re:

Emanuel Delvalle,

Debtor.



Order Filed on September 4,
2018 by Clerk U.S. Bankruptcy
Court District of New Jersey

Case No.: 17-30701 JKS

Adv. No.:

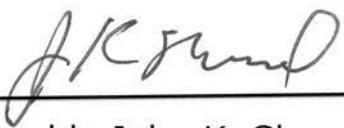
Hearing Date: 8/28/18 @ 11:00 a.m.

Judge: John K. Sherwood

ORDER VACATING AUTOMATIC STAY

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

**DATED: September 4,
2018**



Honorable John K. Sherwood
United States Bankruptcy Court

(Page 2)

Debtor: Emanuel Delvalle

Case No: 17-30701 JKS

Caption of Order: ORDER VACATING AUTOMATIC STAY

This matter having been brought before the Court by Debtor Emanuel Delvalle on shortenend time, Daniel Kohn, Esquire appearing, upon a motion to reimpose the automatic stay as to real property known as **277 James Street, Hackensack, NJ, 07601**, and this Court having considered the representations of attorneys for Debtor and KML Law Group, P.C., attorneys for Secured Creditor, Deutsche Bank Trust Company Americas, As Trustee for Residential Accredited Loans Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2005-QA6, Denise Carlon appearing, and it appearing that notice of said motion was properly served upon all parties concerned, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that Debtor failed to comply with all terms of the Court's Order Temporarily Reinstating the Stay entered on July 28, 2018;

It is **ORDERED, ADJUDGED and DECREED** that the Debtor's motion to reinstate the automatic stay as to the subject property is hereby denied; and

It is **ORDERED, ADJUDGED and DECREED** that the automatic stay as to 277 James Street is hereby vacated to permit Secured Creditor to institute or resume and prosecute to conclusion one or more actions in the courts of appropriate jurisdiction to pursue its rights in the collateral; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor, its successors or assigns, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives. Additionally, any purchaser of the property at Sheriff's Sale or their assign, may take any legal action for enforcement of its right to possession of the property; and

It is further **ORDERED, ADJUDGED and DECREED** that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the bankruptcy code.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Emanuel Delvalle
Debtor

Case No. 17-30701-JKS
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 04, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 06, 2018.

db +Emanuel Delvalle, PO Box #154, Hackensack, NJ 07602-0154

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 06, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 4, 2018 at the address(es) listed below:

Daniel Kohn on behalf of Debtor Emanuel Delvalle dkohn@rcclawgroup.com
Denise E. Carlon on behalf of Creditor THE BANK OF NEW YORK MELLON ET. AL.
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor DEUTSCHE BANK TRUST COMPANY AMERICA AS TRUSTEE
RESIDENTIAL FUNDING COMPANY, LLC FKA RESIDENTIAL FUNDING CORPORATION ATTORNEY IN FACT
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Fran B. Steele on behalf of U.S. Trustee U.S. Trustee Fran.B.Steele@usdoj.gov
Kevin M. Buttery on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE
bkyefile@rasflaw.com
Melissa S DiCerbo on behalf of Creditor ETRADE BANK nj-ecfmail@mwc-law.com,
nj-ecfmail@ecf.courtdrive.com
Rebecca Ann Solarz on behalf of Creditor THE BANK OF NEW YORK MELLON ET. AL.
rsolarz@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8